

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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MARCIASPAHR,

Plaintiff,

v.

5:07-CV-0882

COMMISSIONER OF SOCIAL SECURITY,  
et al.,

Defendant.

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APPEARANCES:

OF COUNSEL:

Marcia Spahr  
Plaintiff *pro se*

NORMAN A. MORDUE, CHIEF JUDGE

ORDER

The above matter comes to me following a Report-Recommendation by Magistrate Judge George H. Lowe, duly filed on the 26<sup>th</sup> day of November 2007. Following ten days from the service thereof, the Clerk has sent me the file, including any and all objections filed by the parties herein.

After careful review of all of the papers herein, including the Magistrate Judge's Report-Recommendation, and no objections submitted thereto, it is

ORDERED, that:

1. The Report-Recommendation is hereby approved.
2. (1) The case is dismissed for failure to comply with the Court's September 25, 2007

Order.

(2) Plaintiff's motion for leave to proceed *in forma pauperis* (Dkt. No. 2) is denied as

moot.

(3) Plaintiff's motion to appoint counsel (Dkt. No. 4) is denied as moot.

3. The Clerk of the Court shall serve a copy of this Order upon all parties and the Magistrate Judge assigned to this case.

IT IS SO ORDERED.

Dated: December 18, 2007  
Syracuse, New York

  
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Norman A. Mordue  
Chief United States District Court Judge

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